619 diate kin of the slayer, and eaten by representatives of the entire clan. It might, however, be insisted on that the slayer should marry a wife in
682 the name of the dead clansman and raise heirs to him. Strangers having close kinship links with a dominant clan, may refuse to pay compensation, and they tend to regard killing as a sin, since the acceptance of compensation for homicide emphasised a distinction they are anxious to obliterate.(1) A Luo tribe can be defined as a unit in which compensation for homicide is paid, or in which there is provision for payment and the settlement of the feud.

The Tero Buru

619 Luo tribes were formerly separated from each other by the *thim* - a
766 stretch of bush country left unoccupied. Between segments of the same tribe there was no *thim*. The ritual demonstration of *tero buru* took place across these boundaries. It was the custom of the Luo in the past not to bury an important man, known for his wealth or for his military ability, until the whole tribe, or a large part of it, had crossed the *thim* and demonstrated in front of the homesteads of the neighbouring tribe. The demonstration took the form of insults, challenges to fight and the tempting parade of cattle. It was a matter of honour for the challenging party to stand their ground and defend their herds with their lives. Such demonstrations were also made against neighbouring Bantu who had a similar structure to that of the Luo tribes. The demonstrating party was not usually attacked unless two *buru* parties of opposing tribes met. Sometimes, however, the opportunity was taken to try and raid the cattle of the neighbouring tribe.

619 Payment of compensation and the *tero buru* are the two main indications of tribal separation. In addition there is the association of a specific lineage unit with a tribe.

CLANS AND LINEAGES

603 Each Luo tribe has a dominant clan or lineage. The clan *(dho-ot)*, has a lineage structure and lineages are differentiated by adding to the
●614 name of the clan or larger lineage as and the individual name of the smaller branch. Formerly, the clans were exogamous but today the larger clans are not always so. Within the large clans minimal lineages can intermarry when the distance between them has become great enough.

836 Where the separation between two lineages has not proceeded far enough or where two clans are closely related there is a socially recognised form of love-making called *ondo*, which takes place between the young men and girls of both groups. Marriage is not permitted until the
582 separation has proceeded further. After some generations the less approved type of marriage *(puor)* may be permitted. This is marriage by abduction and it is eventually replaced by the ordinary form *(nono)* when
583 the complete separation and distinctiveness of the units is recognised.(2)

582 A man is forbidden to marry a woman who is a *wot*, a cognatic relative.

(1) Evans-Pritchard, *Rhodes-Livingstone Journal*, 1948, No.VII, p.4.
(2) *Ibid.*, p.7.

Among the Luo a man is excluded from marrying into clans as distant as that of his maternal grandmother or into the maximal lineage of his maternal great-grandmother. Thus a Luo man may not marry his kin, but only *wasiga* (enemies) with whom no kinship is recognised. It is, therefore, difficult for a man to marry into a clan or lineage within his own tribe. The system of exogamy assists in the structural differentiation of a tribe but also it creates relations of a personal and kinship nature between individuals of two different tribes. 582

The relationship between kinship and territorial units seems to follow closely the pattern found in other Nilotic tribal groups. In the Alego tribe, for example, we are told that there is a dominant clan, the Jo Alego, and its maximal lineages, the Jo Sege and the Ka Denge. There are a number of other clans and large lineages living in the tribal territory as well as small stranger groups and individuals. The presence of these clans and lineages in Alego, and their relations with the Jo Alego, are accounted for by traditions or myths in which stranger lineages and the lineages in possession (which are personified) intermarry, and the stranger lineages assume the position of in-laws. Other tribal areas have a similar structure. Evans-Pritchard states that the relative values of lineages are the same as with the Nuer. In opposition to other maximal lineages a man will give the name of his own maximal lineage but when speaking of an opposed smaller lineage he will give his own immediate lineage, the particular branch of the maximal lineage to which it belongs.(1) 613 614

The Dominant Clan

The dominant clan is usually identified linguistically with the tribe. Thus, Alego means both the tribesmen of Alego tribal territory and the patrilineal descendants of Alego. Members of the dominant clan alone are *jopiny* or *jogweng* - the people of the land and the owners of it. The rest are *jodak* - the separated people, the strangers. Stranger lineages are grafted into the lineage structure of the dominant clan so that, through recognition of female links, the whole tribe may be regarded as a system of agnatic lineages. The Luo refer to the affiliated stranger lineages as *kamce* - lineages of in-laws, or *kaner* - lineages of maternal uncles, since it is from them that they take their wives and the mothers of their children.(2) 619 614 613

For general purposes the *jopiny* and *jodak* are on equal terms and cooperate in matters of common interest. The differentiation only appears in matters of ritual, in marriage regulations and when homicide occurs. In recent times the differentiation has become plainer through land disputes. Formerly there was enough land for everyone and more could be obtained by war and migration. Now, there is considerable inter-lineage enmity about land. The *jopiny* claim the land in virtue of their ownership of the tribal territory and as proof of this they point to the ancestral graves. Stranger lineages which are numerous and powerful may also claim to be *jopiny* in the same area and, having dwelt there for some generations, can also point to their ancestral graves. It is the general rule that a lineage has the right to cultivate land where its forebears have lived for several genera- 614 613 508

(1) Evans-Pritchard, *Rhodes-Livingstone Journal*, 1949, No.VII, pp.10-11.
(2) *Ibid.*, p.14.

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tions. Sometimes several lineages can claim this right, and the structural differentiation and the type of connecting link between them is revealed in the resulting disputes.

IMPORTANT MEN AMONG THE LUO

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There is no real political office in the Luo tribes, but there are a number of people who are of notable status.

The Ruoth

The *ruoth* is simply an influential man. He is richer in wives and cattle than most people, and he may help a poor man to marry by giving him a cow. Any man may become a *ruoth*, although he is usually a member of the dominant clan of the tribe. No such political or ritual significance are attached to the Luo *ruoth* as are associated with the Lango and Acholi *rwodi*.(1)

Thuondi

The *thuondi* are warriors of reputation. They lead all the raids against the tribal enemies. Their position depends entirely on individual ability in war, and therefore they are not necessarily succeeded by their sons.

The Won Gweng

The *won gweng* is the father of the land and a man of influence in every district. He is a senior member of a lineage of the dominant clan of the tribe, and settles land disputes within the tribe. He also sacrifices to the sacred spear of the clan, and points it towards the enemy before a tribal war begins.(2)

RITUAL EXPERTS

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The *jabilo* is the most important of the ritual experts and the chief tribal figure. There may be more than one *jabilo* in each tribal segment, but usually one is more influential than the rest. The *jabilo* inherits his position from his father. His functions include divination of the fortunes of war, cursing the enemy and making magic to secure victory. Although he does not accompany the warriors, the *jabilo* receives part of the spoil in return for his services and is, therefore, usually a *ruoth* - a rich man. A further investigation of the *jabilo*'s place in society would be particularly interesting. It is said that he was also a peacemaker and could intervene in a fight by dragging his leopard-skin along the ground between the two opposing sides.(3) The *jabilo* sometimes exercises the functions of rain-maker (*jakoth* or *won koth*).

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Luo tribal structure appears to be, in all essentials, similar to that of the Nuer; the typical segmentary lineage structure, associated

(1) Evans-Pritchard, *Rhodes-Livingstone Journal*, 1949, No.VII, p.5.
(2) *Ibid.*, pp.5-6.
(3) *Ibid.*, p.6.
cf. Nuer leopard-skin chief.

2:Evans-Pritchard E-5 (1936) 1949
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sented the senior lineage of the clan sacrificed to the sacred spear of the clan and pointed it towards the enemy before tribal war.

There were also a number of ritual experts. The most important of these, and the most important tribal figures among the Luo, seems to have been the *jabilo*, who in the language of African literature would be described as a tribal medicine-man or witchdoctor. There was one of these functionaries in each large tribal segment but one in a tribe was generally more influential than the others and a tribe requiring the services of an exceptionally famous *jabilo* might ask for them even if he lived in a distant tribe. His functions, which tended to pass from father to son, are said to have been to divine the fortunes of war, to curse the enemy, and to make magic to secure victory and the safety of the warriors. He kept his *bilo*, war magic, in horns in a granary. He did not himself accompany a raid but in return for his ritual services he received part of the spoils and according to some informants was entrusted with its division. Consequently he was a *ruoth*, man of substance. The *jabilo* was also, at least sometimes, the *jokoth* or *won koth*, the rainmaker, while at other times the rainmaker seems to have been a different person to the *jabilo*. Rainmakers among neighbouring Bantu peoples were also appealed to. It is also said that the people had to wait permission of the *jabilo* to sow and that he had ritual functions in cases of homicide within the tribe and that he was a peacemaker who could intervene in a fight by dragging his leopard skin along the ground between the two sides.

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In each tribe there is a dominant clan or lineage. The characteristics of a Luo clan are much the same as those I have described for the Nuer.

The Luo clan (*dho ot*) has a lineage structure, which means that every member of it can trace his exact genealogical relationship to every other member. Lineages (*dho udi*) are differentiated by adding to the name of a clan or of a larger lineage the copulative *ma* and the name of a smaller branch, as among the Lango, e.g. *Joseje ma Jokayila* are the Jokayila major lineage of the Joseje maximal lineage of the JoAlego clan. Collateral lineages are sometimes said to be *kanyiego*, presumably from *nyieka*, co-wife, to one another.

These larger clans associated with tribal territories are not always exogamous to-day, though they are believed to have been so in past times. It would be confusing to speak of two groups identical in their structural features by different terms because maximal lineages cannot intermarry in one and can intermarry in the other, so I use the word 'clan' for both, having stated a qualification to the accepted use of the term. Marriage is generally forbidden within the clan but it is recognized that the distance between maximal lineages may become so great, both in lineage-distance and through political and social separation, as to allow intermarriage between them. This has happened in the JoAlego clan of Alego where two main lineages, the JoSeje and the KaDenge quarrelled and now intermarry sometimes. On the other hand marriage is not permitted within such big clans as the KaNyikal of Seme, the KaRacuonyo of Karacuonyo, and

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582 the JoOwila of Uyoma ; and is not approved, though sometimes permitted,
613 even between such fraternal clans as the dominant clans of Karacuonyo,
614 Kisumu, Kadem, Karungu, and Kabwoc. The young men are rebelling against the prohibition. Likewise I was told that though the JokOwila marry into the fraternal clan of Omia (Asembo) it is thought that such marriage may not be very fruitful.

613 Nevertheless in those big clans within which marriage is prohibited
614 or where it is not approved between fraternal clans the custom of *codo* is permitted. *Codo* is a socially recognized love-making in which the youths
836 court the girls and bring them to the *simba* or bachelor's hut and sleep
[833] with them there and have relations with them *intra crura*. Thus the KaAbudha and KoOkelo lineages of the JoOwila clan of Uyoma may *codo* between them, a practice said to date from two generations ago ; likewise the KaGumba and KaDepir lineages of the KaNyikal clan of Seme, though in their case it is said from the last generation only ; likewise the JokOwidi and JokOgol of the KaRacuonyo of Karacuonyo. In these instances were a girl to be made pregnant her lover could not marry her.

613 When two lineages of the same clan are becoming widely separated
614 and are beginning to *codo* between them it is done at first with discre-
836 tion, because the older men are opposed to the innovation, then in open affairs in the bachelors' hut. Finally marriage is envisaged and perhaps
582 eventually permitted, in the first place the less approved form of marriage by abduction (*por*) and then the ordinary form (*meko*). When marriage begins to take place, and even more when it has the approval of the elders, it may be taken to be an indication of political fission, for it was found among the Luo, as among the Nuer, that political values are stated in the language of kinship and that the polito-territorial system is reflected in the lineage system.

582 A man may not marry a *nyakewo*, sister's daughter, in the classificatory
613 sense if her mother was a member of his maximal lineage but he can marry her if her mother belonged to a collateral maximal lineage of his clan,
614 though even then the elders do not always approve. The general principle of exogamy is that a man must not marry any woman whom he regards
184 as a *wat*, a cognatic relative, and Luo reckon kinship as widely as to exclude a man from marrying into his maternal grandmother's clan and his maternal great grandmother's maximal lineage, though it must be said that there is often disagreement, especially between men of different generations about the permissibility of marriage between distantly related persons, that is to say, about borderline cases. In spite of some divergence of opinion however it may be stated that for the Luo, people are either *wat*, kinsfolk, or *wasigu*, enemies. A man cannot marry kin and therefore must marry an 'enemy'. Hence when marriage is allowed between two groups it means that there is no kinship between them or that kinship is no longer recognized between them for purpose of exogamy and this, as said above, is an indication of political opposition, so that one often hears Luo say of a neighbouring tribe, e.g. a Karacuonyo man of the Kocia tribe, 'They are enemies, we marry them'. In other words adjacent tribes are structurally opposed segments in the tribal system

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while relations of a personal kind and kinship links between individuals run across their common frontiers and are compelled to do so by the exogamous rules obtaining in Luo society.

Several of the clans and maximal lineages possess sacred spears and other objects believed to have belonged to their founders. The best known sacred spear (*tong ma lisua*, spear of sacrifice) is the *tong* Alego, the spear of Alego, the founder of the JoAlego clan. In Ugenya the JokaGer clan have several such spears and there are others in possession of the lineages descended from Cuanya to the south of the gulf. Where there are important stranger lineages in a tribe they may also have their sacred objects, e.g. in Alego the KaLuo and the JokOgelo have sacred spears and the JoAgoro have a sacred stone and a sacred pot handed down from their founders. These objects are symbols of the unity of a clan or lineage and, by extension, of the tribe or tribal segment in which it is dominant, and they were used ritually in time of war or of common calamity, such as drought and invasion by locusts. They seem generally, if not always to be held by the senior line (*dho ot ma duong*) of a lineage or clan and are kept either in a granary or in hiding in the bush. The senior line is often called on by junior collateral lines to perform important sacrifices for them and the senior lineage ought to provide the sacrificial beast at ceremonies common to all the lineages. I was told also that while each lineage had its *won gweng*, 'father of the land' the *won gweng* of the senior lineage had chief prestige among them.

Some clans and lineages have certain ritual prohibitions (*kwer*), mostly on certain foods, particularly kidneys and liver. The Luo do not give the impression of attaching much importance to them and if a man and a woman observe the same taboo it is not in itself a bar to marriage. Reference must also be made to clan and lineage honorific, or praise, names. The *nying paak* is generally derived from the name of a paternal ancestor whose name is a lineage cognomen, e.g. Okwiri (see the chart of the JoOwila clan) can be called, according to the circumstances, *wud* (son of) KoOkelo, *wud* KaJeje, and *wud* Owila. These names are much used at communal gatherings, expecially at large beer parties.

A feature of clanship which would seem to be of some importance is the annual inter-lineage wrestling. Unfortunately, I only became aware of these shortly before I left Luoland and had afterwards no further opportunity to enquire further into the custom, or to discover whether it is practised all over Luoland or only in some tribal areas, such as U-yoma where the closely related collateral lineages wrestle for practice prior to the wrestling matches between the big lineages. Thus the Ko-Okwiri are matched against the KoObong, then these two lineages together against the KaAtuenga and KaAbudha, and so on. The lineages send a messenger to challenge the other party and when they meet an elder presides over the joint bouts and the exhibition matches between famous wrestlers on each side. The matches are said to occasion much excitement among the spectators.

The sketch given above of the Luo clan is only an outline delineating feature of it. A little detail is filled in here and there in the following

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613 section where are recorded some notes about the JoAlego clan of Alego
614 tribe, the JoOwila clan of Uyoma tribe, the KaNyikal clan of Seme tribe, and the KaRacuonyo clan of Karacuonyo tribe. It must be borne in mind in reference to these examples, as in regard to the rules of exogamy noted earlier, that these clans are associated with tribal territories and that there are many small lineages, many of them of Bantu origin, which have not the same spread in genealogical or physical space and have not the same depth in lineage structure; also, that all the main clans ultimately trace their descent from the same mythological names of Podho and Ramogi so that it would be possible to place them all on a single chart of descent. Since the smaller stranger lineages have points of graft on the trees of the dominant clans it might be possible to place the whole Luo people on a single chart. The clans, as I have described them, are, however, the largest descent groups which have eponymous ancestors, who are considered by the Luo to be the points at which an exact record of ascent passes into a hazy plane of tradition where a single line of mythological ancestors is finally lost in the beginnings of the world. They are the points at which genealogical structure begins.

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173 In the Alego tribe the dominant clans are the JoAlego with its maximal
613 lineages, the JoSega and the KaDenge. There are a number of other
614 clans and large lineages living in the tribal territory, apart from small stranger groups and individuals. The two most powerful of these stranger clans are the Karuoth and Kakan (JokAnyango). Other clans or lineages of some importance are the KaLuo, JoMar, JoAgoro, JokOgelo, KaNyinek, KaRapol (JoKato), JoUmala, KaLikada, and JoUyawa. The presence of these clans and lineages in Alego and their intra-tribal relations with the JoAlego are accounted for in a number of traditions or myths. These myths relate that when Alego entered the country from the west (Yimbo or Kadimo) he found there a people called Kombekombe and they and Alego's people live together in peace. Then the Kombekombe people began to disperse and were lost and the whole of the land came into possession of Alego and his sons. Then came other clans after Alego into the country but Alego fought them and compelled them to settle elsewhere. Then the elder sons of Mulijuok crossed the gulf and settled in what is now called South Kavirondo and Mulijuok was left with his younger children, Seje, Nyidenge, and three daughters, Nyiwat, Anyango, and Ajonga.

Other clans now entered the country with the permission of the Alego folk (the story is told by them). Came Ragak and married Nyiwat and Anyango and begat the clan of the Kakan, who count as *orche*, in-laws, to the JoAlego. Then came Ager (from Kadhola or Budama) and asked Mulijuok for permission to settle on the land and Mulijuok agreed that he and his people might live on hill Akara. When Mulijuok died Ager plotted to kill his sons Seje and Nyidenge to wrest the soil from them. Seje heard of this plot and summoned Nyinek, Uyawa, Agoro, Ragak, and others (the lineages are personified in the story) to make war against

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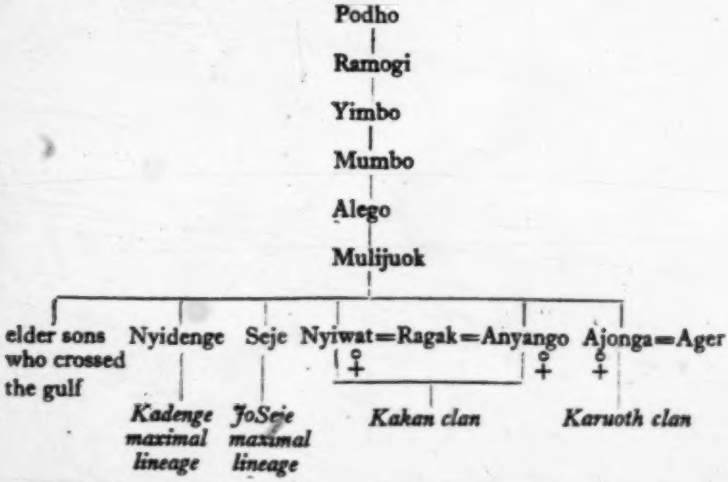
the people of Ager, whom they defeated. Ager later asked for the hand of Ajonga by whom he begat the Karuoth clan, who also stand to the Alego folk as relatives-in-law. The genealogy given below illustrates the story. From Mulijuok to the present day there are nine to ten generations. Other stories, which I do not recount here, explain the relations between the Kakan and the JoUyawa and other clans in Alego tribal territory. In these myths the tribal structure is presented in terms of lineages and the lineages are personified.



The JoAlego genealogy has been presented in its simplest form, pruned of all subsidiary branches. The JoOwila clan is shown in slightly fuller form to illustrate better the lineage structure of a typical Luo clan. The JoOwila are the dominant clan in Uyoma (pop. 11,694, density 91·3). Owila, the ancestor of the clan, came from Alego and brought with him the various clans now living in Uyoma together with the people who now occupy Asembo (where the dominant clan are the Kale) to which country the Uyoma people drove them after a quarrel. Though there are many stranger lineages living in Uyoma its population is probably less mixed than is the case in most tribal areas.

The JoOwila clan divides into four main branches or maximal lineages, as shown in the chart below, the JokOkelo or JokObong being the senior line. These four lineages do not intermarry. Each owns a distinct part of the tribal territory though the members of one lineage are frequently found living in the territory of another. The KaAtuenga and KaAbudha, having the same ancestress regard themselves as a single segment in relation to KoOkelo and KoOkwiri. Genealogical links through females with stranger lineages living with the clan are not shown on the chart.

The relativity of lineage values, to which I have given some attention in my book on the Nuer, may here be touched on, using the JoOwila

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clan as an illustration. Lineage names are in italics. Only one line is shown to its full depth. When Okwiri is asked what is his lineage in his tribal area he will probably say: '*dho odwa KoOtual*', 'my lineage are the Ko-Otual'. If further asked: 'Which branch of the Ko-Otual?' ('*Ko-Otual ma dho ot mani*') he would reply: '*KoOtual ma KaJeje*' and in situations in which Kajeje stand opposed to JokOrua he would probably give KaJeje as his lineage in the first instance. When speaking of the Jok-Akech or any other medial lineage he would call himself a KoOtual man. In speaking of the KaAbudha or another of the maximal lineages he would call himself a member of the KoOkelo lineage. This feature of the lineage systems is too well known to be elaborated further.

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In Seme (pop. 29,919, density 311·6) the dominant clan is the Ka-Nyikal, the main divisions of which are the Kade[illegible] and the KaGumba, Gumba being a foundling adopted and brou[illegible] by Nyikal. I omit a genealogy of this clan for reasons of sp[illegible] would draw passing attention to the common feature of li[illegible]tems by which stranger lineages are grafted into the structu[illegible] dominant clan of the tribe by mythological fictions. The Ka[illegible] to whom I have just alluded, is a very powerful lineage. Another strong lineage in Seme are the KaYila. According to the myth Yila was an Alego man who took to the bachelors' hut Amolo daughter of Nyikal and made her pregnant. He then fled the country. Amolo was an Amazon with a will of her own and she later went to fetch her lover and brought him back to Seme with his sons from whom are descended lineages, by a wife whom he had married in his exile. Another big clan in Seme are the Kolunje. Nyikal had a servant called Anam who used to take his sons to the edge of the lake to collect fodder for the calves. One day they found there a man called Onyango. Nyikal adopted this stranger together with Anam, and Kolunje is the joint name for their descendants, the KaAnam and the KoOnyango.

The last clan of the structure of which I shall give an outline are the KaRacuonyo. Jok, who appears to be the same as the Mulijuok of the Alego myth, begat two sons. One of them, Cuanya, is the ancestor of the principal lineages in the tribal areas of Kisumu, Kanyamwa, Kabwoc, Karungu, and Kadem. The other is the ancestor of the KaRacuonyo clan, who are dominant in the locations of Karacuonyo (Kaduong), Mumbo and Kabondo. According to the Alego myth there were two other brothers, Seje and Nyidenge, as has been noted, but these are not given in their genealogies by the people to the south of the gulf. According to some the ancestor of the now Bantuized Wanjare was another of Jok's sons.

The story current to the south of the gulf is that Jok was accidentally killed by his sons in an elephant hunt. A certain man called Cien took Racuonyo and made him his servant and after various adventures together adopted him as his son. When Cien died Racuonyo took one of his wives, Omiri, and by her begat Sepol, who is the ancestor of the dominant lineages in the Kabondo and Mumbo tribal divisions, the Joko-Owidi and the JokOmala. According to Luo custom Sepol was a son of the dead Cien and not of Racuonyo but the sons of Cien said they did not wish him to be known by the name of their father, so he was called after Racuonyo. The descendants of Cien by a different wife claim to be the owners of the Mumbo lands, but they are now a very small people, due it is said to their having insulted their father who haunted them after his death. The descendants of Racuonyo are shown in the chart below. Only the principal lineages are given, except in the line of descent to one man for illustration.

The man Rapemo can, according to the context, describe his lineage as KaMuma, JokOnyango, KaNdaya, KoOkoth, JokOwidi, KaSepol, and KaRacuonyo.

Each of the big lineages of the KaRacuonyo clan owns its own part of the tribal territory and within a section owned by a large lineage the

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613 parts owned by its branches are fairly distinct. Intermarriage is the main
614 cause of intersettlement and marriage within this clan is not permitted.
There are a number of stranger lineages in Karacuonyo (Wagwe, Kamwala, Kakmuno, Jokadero, etc.) but they are small lineages and so much intermarried with the dominant KaRacuonyo clan that they have no territorial and political distinctness. Some attention must now be given to the status of stranger lineages to the dominant lineage within a tribe.

We have noted that in Karacuonyo there are few stranger lineages and that they are weak ones. By far the greater majority of the tribe are members of the dominant clan. Other tribal territories display greater clan admixture and the presence of powerful stranger lineages whose numerical importance is reflected in the tribal myths. A European may not quickly become aware of these stranger elements unless land disputes force his attention to them, for the dominant clan is generally identified linguistically with the tribe. JoAlego means both the tribesman of Alego tribal territory and the patrilineal descendants of Alego and KaRacuonyo means both the tribesmen of Karacuonyo tribal territory and the patrilineal descendants of Racuonyo. Therefore if a man of the JoMur stranger lineage in Alego were asked outside Alego to what people he belongs he would reply that he belonged to the Alego folk, but if he were asked within the tribal territory he would say that he was a JoMur, for the JoMur
186 are a distinct agnatic group living in their own portion of country within
613 Alego.
Now, from the point of view of the dominant clan in a tribal area the
614 members of this clan alone are the *jopiny* or *jogueng*, the people of the
609 land and the owners of it, and the rest are *jodak*, the separated people, the strangers: though if they lived among them a long time they speak of them as *jobedo*, for *jodak* is a harsh word.

These stranger lineages are grafted into the lineage structure of the
613 dominant clan so that through recognition of female links the whole tribe
609 may be regarded as a system of cognatic lineages. Luo speak of the affi-
614 liated lineages as *kawce*, lineages of in-laws, or as *kaner*, lineages of maternal uncles, since it is from them that they take their wives and the mothers of their children. As the affiliated lineages have taken wives from the dominant clan they also come into the category of *okewa*, sister's son, to its members. In this way every lineage in a tribe, whether of the dominant clan or of stranger stock, has a structural position in the system of lineages of which a tribe is composed and of which the lineages of the dominant clan are the framework.

578 The lineages of the clan which owns the tribal territory and those
613 affiliated to it seem in the past to have been on a general social equality
614 and to have acted corporately in matters of common tribal interest, particularly in war against other tribes. They were differentiated only in matters of ritual, marriage regulations, and, as explained earlier, in settlement of homicide. In recent years, however, acute differences have arisen about land in those parts of the country where the density of population is greatest, especially in the most northern tribes of Central

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Kavirondo, between the different lineages, sometimes betwen a lineage of the dominant clan and sometimes between two stranger lineages.

In the past there seems to have been no serious difficulty about land; there was plenty of it and more could be acquired by war and migration. People were glad, I was told, to welcome strangers who added to the fighting strength of their community and who provided them with wives for their sons. The strangers settled as *owze*, in-laws, and become maternal uncles and sisters' sons. Personal relations between the members of the lineage of the dominant clan and the strangers who settled among them and intermarried with them were all of a kinship order. But these relationships of a kinship kind are structural points at which affiliated lineages are grafted on to the tree of descent of the dominant clan. Personal relations give place to structural relations. People do not readily quarrel with their own parents-in-law or maternal uncles or sisters' sons about land, but when the pressure of population becomes acute they may dispute with those who count as lineage in-laws, lineage maternal uncles, or lineage sisters' sons, that is to say when the relationship has become a structural one and ceased to be one of an intimate kinship kind, for intermarriage and thereby the formation of new kinship links between a lineage and another living on its land must for reasons of exogamy become less and less. There is a bit difference between a member of the JoSeje lineage of Alego and a man of a stranger lineage whom he calls sister's son in a personal sense and a man whom he calls sister's son in a structural sense.

[178] Hence we find to-day in the overcrowded tribal areas considerable inter-lineage enmity about land. If it is not a new feature of Luo life it has certainly been accentuated by European rule and restrictions. Tribal cohesion has suffered from peace and land hunger has increased disharmony.

The *jopiey* claim the land in virtue of their ownership of the tribal territory and point to their *gundini*, their ancient homestead sites, which are remembered for many generations, and to the graves of their ancestors in the disputed area. But stranger lineages which have grown numerous and powerful may also claim to be *jopiey* in the same area in that they have resided there for many generations and also can point there to their ancestral homestead sites and the graves of their forebears. Sometimes a second stranger lineage have grown strong at the expense of a first and pushed them off their lands, so that three lineages can lay claim to the district. Problems of this kind were arousing much feeling in Alego during my visit, for there land is becoming scarce. They may be further complicated by the fact that the present dominant clan has in the past ousted a clan once dominant in the territory and who also have in the land their homestead sites and graves, for it is held by all Luo that title deeds to lands are ancient homestead sites and ancestral graves and that a man has a right to ask for land to cultivate in the district where his ancestors lived and are buried. This does not mean that a man can come back from the tribal area in which his family have lived for several generations to that in which his earlier forebears lived and claim the land

2:Evans-Pritchard E-5 (1936) 1949
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on which a *gunde*, homestead site, of one of them is situated; but it means that he has a right to cultivate somewhere in that district. There is in this way an overlapping of rights in a territory.

Among the Luo ownership of agricultural land is vested in the lineage and every member of a lineage which owns an area has the right to cultivate in it. The individual has only rights of use, which are hereditary so long as the land is maintained in use; but a man cannot sell the land, for his whole lineage and maybe other lineages as well have rights in it; nor can he reclaim it if he has left it for some years and it is being cultivated by another man. Grazing land (*puot*) is always common. An individual can share his agricultural land with kinsmen, such as a daughter's husband or sister's son, and stranger lineages take root in the soil in the first instance through a personal tie of this kind. Sometimes a lineage of strangers flourish at the expense of the lineage whose forebears first gave permission to their ancestors to cultivate the soil and they begin to get a grip on the land and to count their graves and homestead sites in it. Or the lineage which owns the land increases and wants more land for its own members but finds that the land it wants is under cultivation by the descendants of strangers who now regard it as theirs by right and they begin to contest their occupation of it. They cannot directly challenge their use of the land nor just oust them from possession while they are using it, but they encroach on their cultivations and by constant pressure try to squeeze them out. The strangers have redress before European constituted courts but if they are weak they do not care to resort to them because they know that even if they win the case they must continue to live among their more powerful neighbours against whom they have proceeded. For such situations one cannot find rulings in past custom and when disputes of this kind occur to-day settlement depends on a variety of factors, the strength of the stranger lineages, their wealth, their influence with the chiefs and their ability to bribe them, and so forth.

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This paper is sketchy and the survey on which it is based was superficial. Those investigating the Luo at the present time will doubtless give a fuller, more accurate, and more balanced, account of their social organization. Nevertheless, the enquiry has served its limited purpose in that it has shown that Luo political structure with its lineage framework is in essential characteristics like that I have recorded for the Nuer. There are some differences, which I hope to discuss soon in a comparative study of Nilotic lineages as a contribution towards that study of lineage systems on a broader African and world-wide basis which research is slowly making possible. However, it may not prove easy to determine whether the differences are significant till an intensive study of the Luo has been made. All this paper claims to do is to show that the Luo have the same type of structure as the Nuer. Recent research has demonstrated that both Anuak and Shilluk have a lineage structure though it is

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HOMICIDE AND SUICIDE AMONG THE JOLUO OF KENYA

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101 The Luo ("Jaluo," singular; "Joluo," plural) are unique in that they are the only Nilotic speaking people in Kenya. Their place of origin is the Nile Valley; through the centuries by gradual expansion by war and peaceful penetration, they migrated up the Nile Valley, through Uganda, into Kenya, along the shores of Lake Victoria. The term Luo means "swamp" and Joluo "the people of the swamp." Through their migrations they have left behind other Nilotic groups in Uganda and in the Sudan.

131 The Joluo are chiefly concentrated in Central Nyanza where over half a million of them are found today. There are, however, Luo pockets in North Nyanza and also in South Nyanza.

631 The Luo of Central Nyanza are divided into twelve tribal groups. Each tribal group, with a Government-appointed chief, today forms an administrative unit, a "Location," within the District of Central Nyanza. These administrative units, laid down in the early twenties, coincide fairly accurately with the former tribal boundaries and are accepted by the people.

● 614 Each Luo tribe can be described as a society of agnatic parallel lineages or clans, each tracing either real or mythical descent from a common eponym or descent through an adopted or affiliated family to the eponym.

614 198 [197] The original form of the clan and lineage structure remains today in comparative purity. The Joluo people—although on the surface they have accepted Christianity—still retain the ceremonial, religious, and ritual aspects of their culture to a very large degree.

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614 very large degree. Their family system remains strong and
178 largely unimpaired by the impact of Western civilization. The patriarch of the extended family unit, the *jokakwaro*, remains the local authority. Because a series of family groups together form a territorial unit, the sub-clan, the strength and solidity of the Luo family and lineage structure remain supreme. Obviously there have been changes. Basically, however, the changes are superficial.

562 The role of women in Luo society is a subordinate one. Indigenously they play no part in the major ceremonies or rituals and have never had political authority. They do not organize in age groups or societies as in other cultures, and remain primarily the property of their father and his lineage or, on marriage, the property of their husband and his clan.

595 Polygyny is still the ideal and goal of the majority of Luo men. A recent village survey showed that taking a sample of 744 homesteads, which varied between a simple monogamous family and the very large unit of the extended polygamous family, 55 per cent were monogamous units, of which 9 per cent had a leviratic wife or wives, thus making them socially polygamous units; 45 per cent were polygamous homesteads, of which 11 per cent had a leviratic wife or wives. Only 27 per cent of the total sample were found to be simple monogamous households, that is one in four of the family type associated with Western culture: a man, his wife and children. The remainder were either polygamous or had leviratic wives or were of the extended family type. Of this 27 per cent, moreover, it was the ideal of the vast majority to become polygamous later.

871 Education among the Joluo has increased rapidly in recent years, and it was found in our sample that 63 per cent of the boys of school age were either at school or had been to school for more than one year. The figure was 30 per cent for the girls. Of the adult males, however, only 26 per cent had been to school, and of the married females, only 7 per cent. The standard attained, moreover, was not high. More than half the male

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der the head of manslaughter should be punished at all. They feel that a person who makes the mistake of killing in anger is or has been or will eventually be punished by the ancestors, God, the elements, by illness, bad luck, misfortune, or the like, in the inevitable nature of things.

It is believed that cold-blooded, premeditated murder brings *chira* to the group and is therefore punished by the tribe or by the segment affected. The group or the individual who took what they regarded as this calculated risk was eventually banished from the tribe or if large and strong enough to dominate the political unit to which the deceased belonged could force his supporters, usually his segment of the clan, to break away and leave the area. Luo kinship describes all members of the clan in the same genealogical generation as brothers; fratricide, therefore, has a very wide range.

Luo clans occupy and are identified with a geographical area. The clan and the area it occupies are usually called after the eponym of the tribe. Those living within a clan or tribal area who are not members of the clan or tribe are regarded as squatters (*jodak*) with limited rights. They may be unrelated squatters, but most often are found to be affines of legitimate clan members. Murder committed by such persons invokes immediate counteraction on the part of those who belong to the land by virtue of descent, *jogweng*. Cattle could be taken by force, the culprit banished or killed, and/or a woman from that group married by a member of the dead man's minimal lineage, his *jokakwaro*, to raise seed unto the dead man's name. This woman would be regarded as the wife of the dead man, her children would placate his ghost as father (*wuoro*), the physical father would merely serve as genitor.

One major clan, *Kakia*, of a powerful tribe, the Seme of Central Nyanza, descended from a woman of this type—but then not exactly of this type: what happened was as follows. A *jadak*, living in the clan area of Seme, killed the son of an important elder of the tribe. He fled to his own tribal land to

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avoid the immediate consequences and as a result war broke out between the people of Seme and the people of his tribe, Ugenya. After many years of intermittent and bitter warfare the elders of both tribes met to settle the dispute. Their solution was as follows: because the elder who lost his son did not have an unmarried son to take a woman of the killer's clan, and because the killer's minimal lineage did not have a suitable daughter to give in marriage, it was decided that the killer should marry the daughter of the deceased's father, and through her raise seed to the dead man. The killer, contrary to custom but as part of the settlement, was forced to live at the home of his bride and was subsequently adopted into the clan of the deceased. It is interesting, however, that the eponym of the clan which today traces descent from this couple is the bride, Kia, and not the killer or the deceased. It *is*, to my knowledge, the only clan in Luo which has a woman as an eponym, but then she was apparently regarded as a male by her contemporaries.

This background was given to provide the reader with some idea of the Joluo attitude to homicide. Deeply ingrained is the notion that life goes on after death on earth—that ancestors in the spirit world are able to influence the lives, conduct, fortunes, for good or evil, of their descendants. Ghosts are more likely to be benevolent if they can count numerous descendants on earth and extremely malevolent if life on earth was cut short by violence or unnatural death by war, accident, or suicide. The ghosts of the latter are believed to be more difficult to deal with than those of ordinary spirits of old men or women. The more descendants a ghost has, the higher its status in the afterworld, and therefore the greater its pleasure and benevolence.

The Joluo had developed several devices to deal with the problem of homicide. A wife could be married in the name of the dead youth to raise seed to his name, to placate his spirit and to continue his line for posterity. A young adolescent woman who died was dedowered by a stranger (*jakawuny*)